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International Court of Justice

H2320 - 0002

OFFICE OF CHIEF OF COUNSEL FOR WAR CRIMES

EVIDENCE DIVISION

Date: 16 July 1948

I certify that Document Number L-243 was introduced into evidence as Exhibit Number USA-59 in the Trial by the International Tribunal of Hermann GOERING, et al., which commenced on 20 November 1945, and that the attached photostat is a true and correct copy of the original.

Fred Niebergall

FRED NIEBERGALL
Chief, Document Control Branch

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C E R T I F I C A T E

I hereby certify that the annexed document L-273 No. USA-59 is a photostat of an original document submitted in evidence by the United States Prosecution under this number. The original document has been withdrawn in accordance with Rule 10 of the International Military Tribunal, and to the best of my knowledge and belief is to be held at the National Archives, Washington D.C. .

Paul Joosten

Nuremberg, 24 June 1948

PAUL A. JOOSTEN

General Secretary
International Military
Tribunal

USA 59

C E R T I F I C A T E

I, Carl R. Blumenstein, 1st Lt. , AC, Chief, Field Branch, Documentation Division, do hereby certify that the documents known as: U S A Exhibits : 59, 65, 70, 78, 265, 294, and 644 (also by the OCC designations as: L- 273, 150, 151, 292; PS- 2709 ; L- 22, 104 resp.) are photostatic copies of U.S. Department of State Dispatches, which were received by this office through normal documentary channels (as stated in the Coogan Affidavit - U S A Exhibit No. 1) from the United Nations War Crimes Commission, London, in the Fall of 1945. To the best of my knowledge the originals of these documents are held in the archives of the U.S. Department of State, Washington, D.C.

T he above mentioned documents, as such, therefore fall into the category of documentary evidence set forth in Article 21, of The Charter of the International Military Tribunal which states "... shall also take judicial notice of official documents (governmental) and reports of the United Nations.. ".

N urnberg, 8 May 1946

Carl R. Blumenstein

CARL R. BLUMENSTEIN,
1st Lt. AC,
Chief, Field Branch
Documentation Division

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H2320 - 0005

NO. 344.

AMERICAN CONSULATE GENERAL
VIENNA, July 26, 1938.

SUBJECT: ANNIVERSARY OF ASSASSINATION OF CHANCELLOR DOLLFUSS.

STRICTLY CONFIDENTIAL.

THE HONORABLE
THE SECRETARY OF STATE.
WASHINGTON.

SIR:

I have the honor to report that on the 24th and 25th of July there was celebrated throughout the "Ostmark" the anniversary of the murder of Chancellor Dollfuss, now described "as that day four years ago when passionate and self-sacrificing National Socialists made the attempt to lead the Austrian provinces back to the German homeland in accordance with the will of their inhabitants" (NEUES WIENER ABENDBLATT, July 25, 1938).

The two high points of the celebration were the memorial assembly on the 24th at Klagenfurt, capital of the province of Carinthia, where in 1934 the Vienna Nazi revolt found its widest response, and the march on the 25th to the former Federal Chancellery in Vienna by the surviving members of the S.S. Standarte 89, which made the attack on the Chancellery in 1934 - a reconstitution of the crime, so to say.

The assembled thousands at Klagenfurt were addressed by the Führer's deputy, Rudolf Hess, in the presence of the families of the 13 National Socialists who were hanged for their part in the July putsch. The Klagenfurt memorial

celebration

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celebration was also made the occasion for the solemn swearing in of the seven recently appointed Gauleiters of the Ostmark.

From the point of view of the outside world, the speech of Reichs Minister Hess was chiefly remarkable for the fact that after devoting the first half of his speech to the expected praise of the sacrifices of the men, women and youths of Austria in the struggle for a greater Germany, he then launched into a defense of the occupation of Austria and an attack on the "lying foreign press" and on those who spread the idea of a new war. The world was fortunate, declared Hess, that Germany's leader was a man who would not allow himself to be provoked. "The Führer does what is necessary for his people in sovereign calm.....and labors for the peace of Europe" even though provocators, "completely ignoring the deliberate threat to peace of certain small states", deceitfully claim that he is a menace to the peace of Europe.

The march on the former Federal Chancellery, now the Reichsstatthalterei, followed the exact route and time schedule of the original attack. The marchers were met at the Chancellery by Reichsstatthalter Seyss-Inquart, who addressed them and unveiled a memorial tablet. From the Reichsstatthalterei the Standarte marched to the old RAVAG broadcasting center from which false news of the resignation of Dollfuss had been broadcast, and there unveiled a second memorial tablet. Steinhäusl, the present Police President of Vienna, is a member of S.S. Standarte 89.

The apartment of Count Pierre de Lousse, Secretary of the former

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the former French Legation, who is temporarily assigned to Vienna as Consul, was on the line of march. Before he left for his office, he was informed by the porter that the police had ordered that Swastika flags be displayed from his windows. He refused. After his departure, a detachment of S.A. men entered and over the protest of his servant draped each window with large flags. When Count de Leusse returned to his apartment he found the S.A. men still before the house. He protested to the officer in charge, who adopted a very rude tone. The protest was unavailing. Count de Leusse then protested to the adjutant of Commissar Bürckel. The flags were finally removed, with an expression of regret.

Following the murder of Dollfuss, the Führer addressed a message of condolence to the widow, and Mussolini appointed himself the protector of her children. I understand that Frau Dollfuss is now in Switzerland, that her appeals to Mussolini have gone unanswered and that she has not been permitted to enter Italian territory. According to a colleague who smuggled her out of Austria, her funds will shortly be completely exhausted.

Respectfully yours,

John C. Wiley,
American Consul General.

JHM:/JCW/imp.

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Filed Nov. 28 1945
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EXHIBIT U.S.A. 59 (L-273)

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5 pages of extracts